



Appeal Decision

Site visit made on 20 December 2021

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13th January 2022

Appeal Ref: APP/Y3615/Y/21/3267342

3 Malthouse Cottages, Goose Green, Gomshall, Guildford, Surrey GU5 9LW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Miss F Tufail against the decision of Guildford Borough Council.
 - The application Ref 20/P/01572, dated 17 September 2020, was refused by notice dated 4 January 2021.
 - The works proposed are a single storey rear extension and internal alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the works on the significance of the listed building.

Reasons

3. The appeal relates to this mid-terrace property which forms one of 4 dwellings said to have originated in the 16th Century. The terrace is grade II listed. The terrace is formed by the timber-framed structure with exposed timber-work and white-washed render infill. No 3 is a modest dwelling with its 2 rooms on the ground floor and 2 at the first floor and a more recently added conservatory extension at the rear of the ground floor
4. The proposal seeks to extend the rear conservatory and provide a new roof form over it and the existing conservatory. The internal alterations would result in the removal of the rear wall that currently separates the conservatory from the original dwelling.
5. The existing roof is a simple pitch, sloping down from the rear wall of the house. The proposal would add a modest additional length (of around 1.2m) to the conservatory and the new roof would be predominantly flat but the end section would be constructed as a short pitched element. I consider that the end pitched section of roof would appear truncated and awkward. It would contrast with the flat section of roof and would not appear as a coherent addition to the house but an extension with differing features which would contrast with the simple form of the original building, rather than harmonising with it. I noted the rear additions at Nos 1 and 4 within the terrace and these

appear simpler and do not represent precedents for the proposal, in my judgement.

6. The existing wall which divides the main dwelling from the conservatory is likely to be the original rear wall of the building, or represents the location of it. It contains a solid timber door and a window. The appellant suggests that the pier between the door and the window may not be original but offers no evidence to substantiate this claim. The pier is of brickwork and there is some exposed timber-work above the window on the rear elevation. This rear wall represents the original outside wall of the building and it helps to retain the original compartmentalised division of rooms, separating the original rear room from the conservatory addition.
7. I consider that the removal of the door, window and pier would involve the likely loss of original fabric and it would result in the loss of the compartmentalised nature of the rooms on the ground floor, significantly blurring the distinction between the original room and the new addition. Combined with the unacceptable roof form, this would harm the significance of the listed building. I appreciate that these are parts of the building that are not seen from public vantage points but the proposal would still result in harm.
8. I consider that the level of harm that would arise from the proposal amounts to 'less than substantial' harm, as set out in the National Planning Policy Framework. The Framework states that great weight should be given to a historic asset's conservation, irrespective of the level of harm and that any harm should require clear and convincing justification. The appellant indicates that the existing conservatory has poorly detailed flashing and that the shallow pitch results in soiling of the roof. Whilst I acknowledge these points, and the fact that the proposal would result in improved accommodation for the appellant, these do not outweigh the harm that I have identified.
9. The appellant lists numerous developments or works at other listed buildings within the Borough and seeks to draw support for the proposal. I have only been provided with the briefest of descriptions of each example and I can make no meaningful comparisons with the appeal before me. In addition, there is no way of knowing what other factors (if any), including any public benefits, applied in reaching a conclusion on each of those proposals.
10. The appellant also invites me to impose a suitable condition which would require an entirely flat roof, in the event that I identify harm arising from the proposed roof form. The '*Procedural Guide, Planning Appeals-England*' makes it clear that if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal they should normally make a fresh planning application. It adds that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority. Therefore, I shall determine the appeal as it was determined by the local planning authority. In any event, the appeal is to be dismissed for additional reasons relating to the loss of the rear pier.

Conclusions

11. The proposal would fail to preserve the historic significance of this listed building and there are no public benefits that would outweigh the harm. The proposal is contrary to Policy D3 of the 'Guildford Borough Local Plan, Strategy

and Sites' and there is nothing to outweigh that conflict. As a consequence, the appeal is dismissed.

T Wood

INSPECTOR